

1 ROSEMARIE T. RING (State Bar No. 220769)  
2 rose.ring@mto.com  
3 JONATHAN H. BLAVIN (State Bar No. 230269)  
4 jonathan.blavin@mto.com  
5 MUNGER, TOLLES & OLSON LLP  
560 Mission Street  
Twenty-Seventh Floor  
San Francisco, California 94105-2907  
Telephone: (415) 512-4000  
Facsimile: (415) 512-4077

Attorneys for FACEBOOK, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

FEDERAL AGENCY OF NEWS LLC and  
EVGENIY LVOVICH ZUBAREV,

Plaintiffs,

13 | vs.

14 | FACEBOOK, INC

Defendant.

Case No. 5:18-cv-07041-LHK

**JOINT STIPULATION RESCHEDULING  
INITIAL CASE MANAGEMENT  
CONFERENCE**

Judge: Hon. Lucy H. Koh

## STIPULATION

2 Plaintiffs Federal Agency of News LLC (“FAN”) and Evgeniy Lvovich Zubarev  
3 (collectively, “Plaintiffs”) and Defendant Facebook, Inc. (“Facebook”) (collectively, the  
4 “Parties”), by and through their respective counsel, hereby stipulate as follows:

5 WHEREAS, Plaintiffs filed the complaint in the above-captioned action (“Complaint”) on  
6 November 20, 2018, asserting claims against Facebook;

7 WHEREAS, the Complaint was served on Facebook on or about December 4, 2018;

8 WHEREAS, the Court has scheduled an initial case management conference on February  
9 27, 2019;

10 WHEREAS, the United States Department of the Treasury, Office of Foreign Assets  
11 Control (“OFAC”) added Plaintiff FAN to the Specially Designated Nationals and Blocked  
12 Persons List (“SDN List”) on December 19, 2018. *See* OFAC, Notice of Intended Removals;  
13 Ukraine-/Russia-related Designations; Cyber-related Designations (Dec. 19, 2018), *available at*  
14 [https://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20181219\\_33.aspx](https://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20181219_33.aspx);  
15

16 WHEREAS, counsel for Plaintiffs has informed Facebook's counsel that (1) OFAC  
17 requires Plaintiffs' counsel to obtain a specific license to represent Plaintiff FAN, (2) counsel for  
18 Plaintiffs is engaged in efforts to obtain a specific license from OFAC; and (3) counsel for  
19 Plaintiffs anticipates that counsel will know whether he will obtain a specific license from OFAC  
20 within thirty to sixty days;

21 WHEREAS, in light of the above, to ensure efficient use of judicial resources and that the  
22 Parties have sufficient time to meet and confer and make the necessary filings in advance of any  
23 initial case management conference, the Parties request that the Court (1) continue the February  
24 27, 2019 initial case management conference and related deadlines; (2) direct Plaintiffs' counsel to  
25 notify the Court immediately if Plaintiffs' counsel has obtained a specific license from OFAC to  
26 represent Plaintiff FAN and, in any event, that the Parties file a joint status report with the Court  
27 by February 28, 2019; and, if Plaintiffs' counsel has obtained a specific license from OFAC, to

1 reset the initial case management conference for the date of any hearing that the Court may set on  
2 Facebook's motion in response to the Complaint.

3 WHEREAS, the Parties have stipulated, pursuant to L.R. 6-1(a), to extend Facebook's time  
4 to respond to the Complaint until forty-five (45) days after the Court receives notice from Plaintiff  
5 FAN's counsel that Plaintiffs' counsel has obtained a specific license from OFAC.

6 WHEREAS, Facebook anticipates filing a Motion to Dismiss in response to the Complaint  
7 and the Parties have therefore further stipulated, subject to Court approval, to extend FAN and  
8 Evgeniy Lvovich Zubarev's time to respond to Facebook's Motion to Dismiss the Complaint to  
9 thirty (30) days, and Facebook's time to file a reply in support of its Motion to Dismiss the  
10 Complaint to fourteen (14) days;

11 NOW THEREFORE, pursuant to L.R. 6-2, Plaintiffs and Defendant, through their counsel  
12 of record, stipulate to the following:

13 IT IS HEREBY STIPULATED that the initial case management conference shall be  
14 rescheduled to the date of any hearing that the Court may set on Facebook's motion in response to  
15 the Complaint, and that the briefing schedule on Facebook's anticipated Motion to Dismiss the  
16 Complaint shall be as follows: Plaintiffs' opposition will be due thirty (30) days after Facebook's  
17 files its Motion to Dismiss the Complaint, and Facebook's reply will be due fourteen (14) days  
18 after Plaintiffs' file their opposition.

19

20

21

22

23

24

25

26

27

28

1 DATED: February 5, 2019

MUNGER, TOLLES & OLSON LLP  
ROSEMARIE T. RING  
JONATHAN H. BLAVIN

4 By: /s/ Rosemarie T. Ring  
5 ROSEMARIE T. RING  
6 Attorneys for Facebook, Inc.

7 DATED: February 5, 2019

WHITEFORD, TAYLOR & PRESTON LLP  
DENNIS EDWARD BOYLE  
BLERINA JASARI

10 By: /s/ Dennis Edward Boyle  
11 DENNIS EDWARD BOYLE  
12 Attorneys for Plaintiffs

13 DATED: February 5, 2019

14 DIAMOND MCCARTHY LLP  
CHRISTOPHER DANIEL SULLIVAN

15 By: /s/ Christopher Daniel Sullivan  
16 CHRISTOPHER DANIEL SULLIVAN  
17 Attorney for Plaintiffs

19 **ATTESTATION PURSUANT TO CIVIL L.R. 5-1(i)(3)**

20 I, Rosemarie T. Ring, am the ECF User whose ID and password are being used to file this  
21 document. I hereby attest that concurrence in the filing of this document has been obtained from  
22 the signatories.

25 DATED: February 5, 2019

26 /s/ Rosemarie T. Ring  
27 ROSEMARIE T. RING

1 [PROPOSED] ORDER  
2  
3

4  
5 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
6  
7

8 February \_\_\_\_, 2019.  
9  
10

11 \_\_\_\_\_  
12 The Honorable Lucy H. Koh  
13 United States District Judge  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28